



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

September 27, 2018

Chad Derose, Chief Operations Officer
Famoso Nut Company – 1504000
32331 Famoso Road
McFarland, CA 93250

Citation No. 03_12_18C_024
Total Coliform Maximum Contaminant Level Violation
For July 2018

Dear Mr. Derose:

Enclosed is Citation No. 03_12_18C_024 (hereinafter "Citation") issued to the Famoso Nut Company (hereinafter "Water System") public water system.

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one and one-half hours on enforcement activities associated with this violation.

The Water System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the State Water Board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

265 West Bullard Avenue, Suite 101, Fresno, CA 93704 | www.waterboards.ca.gov

If you have any questions regarding this matter, please contact Adam Forbes of my staff at (559) 447-3392.

Sincerely,



Tricia A. Wathen, P.E.
Senior Sanitary Engineer, Visalia District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

District webpage: http://www.waterboards.ca.gov/drinking_water/programs/districts/visalia_district.shtml

TAW/LR

Enclosures

Certified Mail No. 7018 0040 0000 3159 7551

cc: Kern County Environmental Health Department (w/o Appendices)
Skookum Monitoring, Inc., P.O. Box 361, Tehachapi, Ca 93581

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Famoso Nut Company

Water System No: 1504000

Attention: Chad Derosé, Chief Operations Officer

32331 Famoso Road
McFarland, CA 93250

Issued: September 27, 2018

CITATION FOR NONCOMPLIANCE
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1

TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION

July 2018

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing

1 with Section 116270), or any regulation, standard, permit, or order issued or adopted
2 thereunder.

3
4 The State Water Board, acting by and through its Division of Drinking Water (hereinafter
5 "Division") and the Deputy Director for the Division, hereby issues Citation No.
6 03_12_18C_024 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the
7 Famoso Nut Company (hereinafter "Water System"), for violation of CHSC, Section
8 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section
9 64426.1.

10
11 A copy of the applicable statutes and regulations is included in Appendix 1, which is
12 attached hereto and incorporated by reference.

13 14 **STATEMENT OF FACTS**

15 The Water System is classified as a non-transient non-community public water system
16 with a population of approximately 35 persons, served through 1 (one) service
17 connections. The Water System is using a groundwater source to supply potable water
18 to the distribution system.

19
20 CHSC, Section 116555(a)(1) requires all public water systems to comply with primary
21 drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water
22 standards include maximum levels of contaminants, specific treatment standards, and
23 monitoring and reporting requirements as specified in regulations adopted by the State
24 Water Board.

25
26 CCR, Title 22, Section 64426.1, Total Coliform Maximum Contaminant Level (hereinafter
27 "MCL"), states that a public water system is in violation of the total coliform MCL if it

collects fewer than 40 bacteriological samples per month and if more than one sample collected during any month is total coliform-positive.

The Water System is required to collect a minimum of one (1) distribution system bacteriological sample per month. The State Water Board received laboratory results for 15 bacteriological samples collected during July 2018 from the Water System. All samples were analyzed for the presence of total coliform bacteria. Five (5) of the 15 samples analyzed were positive for total coliform bacteria. None of the total coliform positive samples showed the presence of *Escherichia coli* (*E. coli*) bacteria. All water samples for coliform bacteria are summarized in Appendix 2 and 3.

Due to the significant rise in bacteria, the State Water Board required the issuance of a Unsafe Water Alert. This notice was lifted by the State Water Board on August 7, 2018 based on two (2) sets of bacteriological sampling that were negative for coliform bacteria. Copies of the notice and cancelation forms are included in Appendices 4 and 5.

DETERMINATION

The Water System took fewer than 40 bacteriological samples during July 2018. The results of five (5) routine samples were total coliform positive. Therefore, the State Water Board has determined that the Water System has failed to comply with drinking water standards pursuant to CHSC, Section 116555(a)(1) and CCR, Title 22, Section 64426.1 during July 2018.

DIRECTIVES

The Famoso Nut Company completed the necessary public notification and the investigation pursuant to CCR, Title 22, Section 64426.1 and no other directives are necessary at this time.

1 The State Water Board reserves the right to make modifications to this Citation as it may
2 deem necessary to protect public health and safety. Such modifications may be issued
3 as amendments to this Citation and shall be effective upon issuance.

4
5 Nothing in this Citation relieves the Water System of its obligation to meet the
6 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4,
7 commencing with Section 116270), or any regulation, standard, permit or order issued or
8 adopted thereunder.

10 **PARTIES BOUND**

11 This Citation shall apply to and be binding upon the Water System, its owners,
12 shareholders, officers, directors, agents, employees, contractors, successors, and
13 assignees.

15 **SEVERABILITY**


16 The directives of this Citation are severable, and the Water System shall comply with
17 each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.



Tricia Wathen, P.E.
Senior Sanitary Engineer, Visalia District
DRINKING WATER FIELD OPERATIONS BRANCH


Date

Appendices:

1. Applicable Statutes and Regulations
2. Summary of Distribution Bacteriological Samples
3. Summary of Source Bacteriological Samples
4. Public Notice for July 2018
5. Cancellation of Do Not Drink notice
6. Positive Total Coliform Investigation Report Form



Certified Mail No. 7018 0040 0000 3159 7551

**APPENDIX 1. Applicable Statutes and Regulations for
Citation No. 03_12_18C_024
Total Coliform Maximum Contaminant Level Violation**

NOTE: The following language is provided for the convenience of the recipient, and cannot be relied upon as the State of California's representation of the law. The published codes are the only official representation of the law. Regulations related to drinking water are in Titles 22 and 17 of the California Code of Regulations. Statutes related to drinking water are in the Health & Safety Code, the Water Code, and other codes.

California Health and Safety Code (CHSC):

Section 116275. Definitions states in relevant part:

- (c) "Primary drinking water standards" means:
 - (1) Maximum levels of contaminants that, in the judgment of the state board, may have an adverse effect on the health of persons.
 - (2) Specific treatment techniques adopted by the state board in lieu of maximum contaminant levels pursuant to subdivision (j) of Section 116365.
 - (3) The monitoring and reporting requirements as specified in regulations adopted by the state board that pertain to maximum contaminant levels.

Section 116555. Operational requirements states in relevant part:

- (a) Any person who owns a public water system shall ensure that the system does all of the following:
 - (1) Complies with primary and secondary drinking water standards.
 - (2) Will not be subject to backflow under normal operating conditions.
 - (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116577. Enforcement fee states:

- (a) Each public water system shall reimburse the state board for actual costs incurred by the state board for any of the following enforcement activities related to that water system:
 - (1) Preparing, issuing, and monitoring compliance with, an order or a citation.
 - (2) Preparing and issuing public notification.
 - (3) Conducting a hearing pursuant to Section 116625.
- (b) The state board shall submit an invoice for these enforcement costs to the public water system that requires payment before September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the state board. The costs set forth in the invoice shall not exceed the total actual costs to the state board of enforcement activities specified in this section.
- (c) Notwithstanding the reimbursement of enforcement costs of the local primacy agency pursuant to subdivision (a) of Section 116595 by a public water system under the jurisdiction of the local primacy agency, a public water system shall also reimburse enforcement costs, if any, incurred by the state board pursuant to this section.
- (d) "Enforcement costs," as used in this section, does not include "litigation costs" pursuant to Section 116585.
- (e) The state board shall not be entitled to enforcement costs pursuant to this section if a court determines that enforcement activities were in error.
- (f) Payment of the invoice shall be made within 90 days of the date of the invoice. Failure to pay the invoice within 90 days shall result in a 10-percent late penalty that shall be paid in addition to the invoiced amount.
- (g) The state board may, at its sole discretion, waive payment by a public water system of all or any part of the invoice or penalty.

Section 116625. Revocation and suspension of permits states:

- (a) The state board, after providing notice to the permittee and opportunity for a hearing, may suspend or revoke any permit issued pursuant to this chapter if the state board determines pursuant to the hearing that the permittee is not complying with the permit, this chapter, or any regulation, standard, or order issued or adopted thereunder, or that the permittee has made a false statement or representation on any application, record, or report maintained or submitted for purposes of compliance with this chapter. If the permittee does not request a hearing within the period specified in the notice, the state board may suspend or revoke the permit without a hearing. If the permittee submits a timely request for a hearing, the hearing shall be before the state board or a member of the state board, in accordance with Section 183 of the Water Code and the rules for adjudicative proceedings adopted under Section 185 of the Water Code. If the permit at issue has been temporarily suspended pursuant to subdivision (b), the notice shall be provided within 15 days of the effective date of the temporary suspension order. The commencement of the hearing under this subdivision shall be as soon as practicable, but no later than 60 days after the effective date of the temporary suspension order, unless the state board grants an extension of the 60 day period upon request of the permittee.
- (b) The state board may temporarily suspend any permit issued pursuant to this chapter before any hearing when the action is necessary to prevent an imminent or substantial danger to health. The state board shall notify the permittee of the temporary suspension and the effective date of the temporary suspension and, at the same time,

notify the permittee that a hearing has been scheduled. The hearing shall be held as soon as possible, but not later than 15 days after the effective date of the temporary suspension unless the state board grants an extension of the 15 day period upon request of the permittee, and shall deal only with the issue of whether the temporary suspension shall remain in place pending a hearing under subdivision (a). The hearing shall be conducted under the rules for adjudicative proceedings adopted by the state board under Section 185 of the Water Code. The temporary suspension shall remain in effect until the hearing under this subdivision is completed and the state board has made a final determination on the temporary suspension, which shall be made within 15 days after the completion of the hearing unless the state board grants an extension of the 15 day period upon request of the permittee. If the determination is not transmitted within 15 days after the hearing is completed, or any extension of this period requested by the permittee, the temporary suspension shall be of no further effect. Dissolution of the temporary suspension does not deprive the state board of jurisdiction to proceed with a hearing on the merits under subdivision (a).

Section 116650. Citations states:

(a) If the state board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the state board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The state board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation and shall be in addition to any liability or penalty imposed under any other law.

Section 116701. Petitions to Orders and Decisions states:

(a)

(1) Within 30 days of issuance of an order or decision under authority delegated to an officer or employee of the state board under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration.

(2) Within 30 days of issuance of an order or decision under authority delegated to an officer or employee of the state board under Section 116540, the applicant may petition the state board for reconsideration.

(3) Within 30 days of final action by an officer or employee of the state board acting under delegated authority, the owner of a laboratory that was the subject of the final action may petition the state board for reconsideration of any of the following actions:

(A) Denial of an application for certification or accreditation under Section 100855.

(B) Issuance of an order directing compliance under Section 100875.

(C) Issuance of a citation under Section 100880.

(D) Assessment of a penalty under subdivision (e) of Section 100880.

(b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.

(c) The evidence before the state board shall consist of the record before the officer or employee who issued the order or decision and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.

(d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.

(e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision subject to the petition for reconsideration.

(f) If an order or decision is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 100920.5 or 116700.

California Code of Regulations (CCR), Title 22:

Section 64421. General Requirements states:

(a) Each water supplier shall:

(1) Develop a routine sample siting plan as required in section 64422;

- (2) Collect routine, repeat and replacement samples as required in Sections 64423, 64424, and 64425;
 - (3) Have all samples analyzed by laboratories approved to perform those analyses by the State Board and report results as required in section 64423.1;
 - (4) Notify the State Board when there is an increase in coliform bacteria in bacteriological samples as required in section 64426; and
 - (5) Comply with the Maximum Contaminant Level as required in section 64426.1.
- (b) Water suppliers shall perform additional bacteriological monitoring as follows:
- (1) After construction or repair of wells;
 - (2) After main installation or repair;
 - (3) After construction, repair, or maintenance of storage facilities; and
 - (4) After any system pressure loss to less than five psi. Samples collected shall represent the water quality in the affected portions of the system.

Section 64426. Significant Rise in Bacterial Count states in relevant part:

- (a) Any of the following criteria shall indicate a possible significant rise in bacterial count:
- (1) A system collecting at least 40 samples per month has a total coliform-positive routine sample followed by two total coliform-positive repeat samples in the repeat sample set;
 - (2) A system has a sample which is positive for fecal coliform or *E. coli*; or
 - (3) A system fails the total coliform Maximum Contaminant Level (MCL) as defined in Section 64426.1.
- (b) When the coliform levels specified in subsection (a) are reached or exceeded, the water supplier shall:
- (1) Contact the State Board by the end of the day on which the system is notified of the test result or the system determines that it has exceeded the MCL, unless the notification or determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours; and
 - (2) Submit to the State Board information on the current status of physical works and operating procedures which may have caused the elevated bacteriological findings, or any information on community illness suspected of being waterborne. This shall include, but not be limited to:
 - (A) Current operating procedures that are or could potentially be related to the increase in bacterial count;
 - (B) Any interruptions in the treatment process;
 - (C) System pressure loss to less than 5 psi;
 - (D) Vandalism and/or unauthorized access to facilities;
 - (E) Physical evidence indicating bacteriological contamination of facilities;
 - (F) Analytical results of any additional samples collected, including source samples;
 - (G) Community illness suspected of being waterborne; and
 - (H) Records of the investigation and any action taken.

Section 64426.1. Total Coliform Maximum Contaminant Level (MCL) states in relevant part:

- (b) A public water system is in violation of the total coliform MCL when any of the following occurs:
- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
 - (2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
 - (3) Any repeat sample is fecal coliform-positive or *E. coli*-positive; or
 - (4) Any repeat sample following a fecal coliform-positive or *E. coli*-positive routine sample is total coliform-positive.
- (c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the State Board by the end of the business day on which this is determined, unless the determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraph (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraph (b)(3) or (4), pursuant to section 64463.1.

Section 64463. General Public Notification Requirements states:

- (a) Each public (community, nontransient-noncommunity and transient-noncommunity) water system shall give public notice to persons served by the water system pursuant to this article.
- (b) Each water system required to give public notice shall submit the notice to the State Board, in English, for approval prior to distribution or posting, unless otherwise directed by the State Board.
- (c) Each wholesaler shall give public notice to the owner or operator of each of its retailer systems. A retailer is responsible for providing public notice to the persons it serves. If the retailer arranges for the wholesaler to provide the notification, the retailer shall notify the State Board prior to the notice being given.
- (d) Each water system that has a violation of any of the regulatory requirements specified in section 64463.1(a), 64463.4(a), or 64463.7(a) in a portion of the distribution system that is physically or hydraulically isolated from other parts of the distribution system may limit distribution of the notice to only persons served by that portion of the system that is out of compliance, if the State Board has granted written approval on the basis of a review of the water system and the data leading to the violation or occurrence for which notice is being given.

(e) Each water system shall give new customers public notice of any acute violation as specified in section 64463.1(a) that occurred within the previous thirty days, any continuing violation, the existence of a variance or exemption, and/or any other ongoing occurrence that the State Board has determined poses a potential risk of adverse effects on human health [based on a review of estimated exposures and toxicological data associated with the contaminant(s)] and requires a public notice. Notice to new customers shall be given as follows:

(1) Community water systems shall give a copy of the most recent public notice prior to or at the time service begins; and

(2) Noncommunity water systems shall post the most recent public notice in conspicuous locations for as long as the violation, variance, exemption, or other occurrence continues.

Section 64463.1. Tier 1 Public Notice states in relevant part:

(a) A water system shall give public notice pursuant to this section and section 64465 if any of the following occurs:

(1) Violation of the total coliform MCL when:

(A) Fecal coliform or *E. coli* are present in the distribution system; or

(B) When any repeat sample tests positive for coliform and the water system fails to test for fecal coliforms or *E. coli* in the repeat sample;...

(b) As soon as possible within 24 hours after learning of any of the violations in subsection (a) or being notified by the State Board that it has determined there is a potential for adverse effects on human health [pursuant to paragraph

(a)(4), (5), or (6)], the water system shall:

(1) Give public notice pursuant to this section;

(2) Initiate consultation with the State Board within the same timeframe; and

(3) Comply with any additional public notice requirements that are determined by the consultation to be necessary to protect public health.

(c) A water system shall deliver the public notice in a manner designed to reach residential, transient, and nontransient users of the water system and shall use, as a minimum, one of the following forms:

(1) Radio or television;

(2) Posting in conspicuous locations throughout the area served by the water system;

(3) Hand delivery to persons served by the water system; or

(4) Other method approved by the State Board, based on the method's ability to inform water system users.

Section 64465. Public Notice Content and Format states in relevant part:

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

(1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);

(2) The date(s) of the violation or occurrence;

(3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;

(4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;

(5) Whether alternative water supplies should be used;

(6) What actions consumers should take, including when they should seek medical help, if known;

(7) What the water system is doing to correct the violation or occurrence;

(8) When the water system expects to return to compliance or resolve the occurrence;

(9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;

(10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail; and

(11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we [did not monitor or test] or [did not complete all monitoring or testing] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time." ...

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

(2) For a Tier 2 or Tier 3 public notice:

(A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and

(B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:

1. Information in the appropriate language(s) regarding the importance of the notice; or

2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and
- (3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.
- (d) Each public notice given pursuant to this article shall:
- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
 - (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
 - (3) Not contain language that minimizes or contradicts the information being given in the public notice.

Appendix 64465-A. Health Effects Language - Microbiological Contaminants.

Contaminant	Health Effects Language
Total Coliform	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
Fecal coliform/ <i>E. coli</i>	Fecal coliforms and <i>E. coli</i> are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.
Turbidity	Turbidity has no health effects. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

Section 64469. Reporting Requirements states:

- (a) Analytical results of all sample analyses completed in a calendar month shall be reported to the State Board no later than the tenth day of the following month.
- (b) Analytical results of all sample analyses completed by water wholesalers in a calendar month shall be reported to retail customers and the State Board no later than the tenth day of the following month.
- (c) Analytical results shall be reported to the State Board electronically using the Electronic Deliverable Format as defined in The Electronic Deliverable Format [EDF] Version 1.2i Guidelines & Restrictions dated April 2001 and Data Dictionary dated April 2001.
- (d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under section 64463.7(d), each water system shall submit a certification to the State Board that it has done so, along with a representative copy of each type of public notice given.

Section 64481. Content of the Consumer Confidence Report states in relevant part:

- (g) For the year covered by the report, the Consumer Confidence Report shall note any violations of paragraphs (1) through (7) and give related information, including any potential adverse health effects, and the steps the system has taken to correct the violation.
 - (1) Monitoring and reporting of compliance data.

Bacteriological Distribution Monitoring Report

1504000 Famoso Nut Company

Distribution System Freq: 1/M

Sample Date	Location	T Coli	E Coli	F Coli	HPC	Type	Cl2	Cl2 Avg	Viol. Type	GWR Satisfied?	Comments
7/26/2018	5 samples	A	A			Repeat	0.85-0.89				
7/25/2018	5 samples	A	A			Repeat	0.81-0.90				
7/18/2018	3ROU-#6 HB	P	A			Routine	0.31				
7/18/2018	4ROU-#8 HB	P	A			Routine	0.29				
7/18/2018	5ROU-#5 HB	P	A			Routine	0.28				
7/18/2018	2-ROU-#4 HB	P	A			Routine	0.36		MCL		
7/18/2018	1-ROU-#2 HB	P	A			Routine	0.34				

Violation Key

MCL	Exceeds Maximum Contaminant Level (L1 RTCR)	GWR	Tier 1 or Tier 2 notification req'd
MR1	No monthly sample for the report month	GR1	GWR M&R violation
MR2	No quarterly sample for the report quarter	L1	Level 1 Trigger RTCR (TCRMCL)
MR3	Incorrect number of routine samples for the report month	L2a	Level 2-EC+ Routine w/TC+Repeat
MR4	Did not collect 5 routine samples for previous month's positive sample	L2b	Level 2-TC+ Routine w/EC+ Repeat
MR5	Incorrect number of repeat samples as follow-up to a positive sample	L2c	Level 2-EC+ Routine w/No Repeats
MR6	No source sample	L2d	Level 2-Repeat at GWR source monitoring is EC+
MR7	No summary report submitted	L2e	Level 2-Two (2) Level 1 Triggers in a 12-month period
MR8	Other comments and/or info		

Source Bacteriological Monitoring Report

1504000 Famoso Nut Company

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>Sample Type</i>	<i>Test Method</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>HPC</i>	<i>Violation</i>	<i>Comments</i>
7/18/2018	12:44	Well 01	Well	MPN	<1	<1				
6/18/2018	11:40	Well 01	Well	MPN	<1.1	<1.1				
5/16/2018	11:20	Well 01	Well	MPN	<1	<1				
4/18/2018	11:25	Well 01	Well	MPN	<1	<1				
3/19/2018	13:07	Well 01	GWR Well	MPN	<1	<1				
3/14/2018	12:28	Well 01	Well	MPN	<1	<1				
2/12/2018	13:47	Well 01	Well	MPN	<1	<1				
1/17/2018	11:15	Well 01	Well	MPN	<1	<1				

UNSAFE WATER ALERT

Este informe contiene información muy importante sobre su agua potable.
Por favor hable con alguien que lo pueda traducir.

DO NOT DRINK YOUR WATER

Failure to follow this advisory could result in stomach or intestinal illness.

The Famoso Nut Company water system is presently experiencing a significant rise in coliform bacteria. The State Water Resource Board – Division of Drinking Water in conjunction with Famoso Nut Company's water system are advising to **NOT DRINK YOUR WATER OR USE FOR COOKING PURPOSES AS A SAFETY PRECAUTION UNTIL FURTHER NOTICE.**

What should I do?

- **DO NOT DRINK YOUR TAP WATER---USE ONLY BOTTLED WATER.** Bottled water should be used for all drinking (including baby formula and juice), brushing teeth, washing dishes, making ice and food preparation **until further notice.**
- **DO NOT TRY AND TREAT THE WATER YOURSELF.** Boiling, freezing, filtering, adding chlorine or other disinfectants, or letting water stand will not make the water safe.

We will inform you when tests show that the water is safe again. We expect to resolve the problem within one week.

For more information call:

Water System Contact: David Delis at (661)399-9697

Water System Operator: Skookum H2O at (661)822-4185

State Water Resource Control Board – Division of Drinking Water – Visalia District Office at (559) 447-3300.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is provided by Famoso Nut Company, System No. 1504000

Date distributed/posted: 7/25/18

Date: 9/25/18**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene información muy importante sobre su agua potable.
Por favor hable con alguien que lo pueda traducir.

CANCELLATION OF DO NOT DRINK ORDER

Customers of the Famoso Nut Company were notified on 7/25/18 of a problem with our drinking water and were advised to not drink the tap water nor to use it for cooking purposes. We are pleased to report that the problem with total coliform bacteria has been corrected. The water delivered to the distribution system was disinfected to kill the bacteria. Bacteriological samples collected on July 25 and 26, 2018, in follow up reported an absence for total coliform bacteria in the distribution system. We apologize for any inconvenience and thank you for your patience.

For more information call:

Water Utility contact:

Water System contact:

Famoso Nut Contact is David Delis at (661)399-9697

Or contact Skoo'Kum h2O at (661) 822-4185

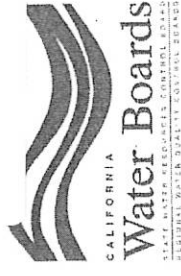
State Water Resources Control Board at (559) 447-3300

This notice is being sent to you by Famoso Nut Company, System No. 1504000.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

REVISED TOTAL COLIFORM RULE (RTCR) – LEVEL 1 ASSESSMENT Simple Systems with a Well and Storage/Pressure Tank and No Treatment

This form is intended to assist public water systems in completing the investigation required by the federal revised Total Coliform Rule (rTCR) [effective April 1, 2016] and may be modified to take into account conditions unique to the water system. **To avoid a violation, an assessment report must be completed and returned to your local regulatory agency no later than 30 days after the trigger date.**



ADMINISTRATIVE INFORMATION

Entity Name: PWSID NUMBER:	System Type:	Name Famoso Nut Company	System Address & Email	Telephone Number
Operator in Responsible Charge (ORC)			32331 Famoso RD.	661-399-9699
Person that collected TC samples if different than ORC			McFarland, CA 93250	
System Owner				
Certified Laboratory for Microbiological Analyses		BC Labs		
Date Investigation Completed:				
Month(s) of Coliform Treatment Technique Trigger:	JULY			

INVESTIGATION DETAILS

SOURCE	WELL (name)	WELL (name)	WELL (name)	WELL (name)	COMMENTS (attach additional pages if needed)
1. Inspect each well head for physical defects and report	YES				
a. Is raw water sample tap upstream from point of disinfection?	YES				
b. Is wellhead vent pipe screened?	YES				
c. Is wellhead seal watertight?	YES				
d. Is well head located in pit or is any piping from the wellhead submerged?	NO				
e. Does the ground surface slope towards well head?	NO				
f. Is there evidence of standing water near the wellhead?	NO				
g. Are there any connections to the raw water piping that could be cross connections? (describe all connections in comments)	NO				
h. Is the wellhead secured to prevent unauthorized access?	YES				
i. How often do you take a raw water total coliform (TC) test?	MONTHLY				
j. Provide the date and result of the last TC test at this location	9-10-18				
	ABSENT				

STORAGE

	TANK (name)	TANK (name)	TANK (name)	TANK (name)	COMMENTS
1. Is each tank locked to prevent unauthorized access?	YES				
2. Are all vents of each tank screened down-turned to prevent dust and dirt from entering the tank?	YES				
3. Is the overflow on each tank screened?	YES				
4. Are there any unsealed openings in the tank such as access doors, water level	NO				

REVISED TOTAL COLIFORM RULE (RTCR) – LEVEL 1 ASSESSMENT FORM

Simple Systems with a Well and Pressure Tank and No Treatment

Page 2 of 5

STORAGE	TANK (name)	TANK (name)	TANK (name)	TANK (name)	COMMENTS
indicators hatches, etc.?					
5. Is the roof/cover of the tank sealed and free of any leaks?	YES				
6. Is the tank above ground or buried?	ABOVE				
a. If buried or partially buried, are there provisions to direct surface water away from the site.	N/A				
b. Has the interior of the tank been inspected to identify any sanitary defects, such as root intrusion?	YES				
7. Does the tank "float" on the distribution system or are there separate inlet and outlet lines?	Separate				
8. What is the measured chlorine residual (total/free) of the water exiting the storage tank today?	0.40				
9. What is the volume of the storage tank in gallons?	5,000 gal				
10. Is the tank baffled?	NO				
11. Prior to the TC+ or EC+, what was the previous date item #1-6 were checked and documented?	TWICE Monthly				

PRESSURE TANK	TANK (name)	TANK (name)	TANK (name)	TANK (name)	COMMENTS
1. What is the volume of the pressure tank?	500 gal				
2. What is the age of the pressure tank?	Unknown				
3. Is the pressure tank bladder type or air compressor type?	AIR				
4. Did the pressure tank(s) deviate from normal operating pressure?	NO				
5. Is the compressor pump running more often than normal?	NO				
6. Is the tank bladder broken and the tank water logged?	NO				
7. Is the tank(s) damaged, rusty, leaking, or has holes?	NO				
8. Was there any recent work performed?	NO				
9. Is the air relief vent (if there is one) on the pressure tank screened and facing downwards?	N/A				
10. Can the inside of the pressure tank be visually inspected thru an inspection port? If so, when was the last time it was inspected?	NO				

DISTRIBUTION SYSTEM	SYSTEM RESPONSES
1. What is the minimum pressure you are maintaining in the distribution system?	65 PSI
2. Did pressure in the distribution system drop to less than 5 psi prior to experiencing the total coliform positive finding?	NO

REVISED TOTAL COLIFORM RULE (RTCR) – LEVEL 1 ASSESSMENT FORM

Simple Systems with a Well and Pressure Tank and No Treatment

Page 3 of 5

DISTRIBUTION SYSTEM	SYSTEM RESPONSES
3. Has the distribution system been worked on within the last week? (service taps, hydrant flushing, main breaks, main extensions, etc.) If yes, provide details.	NO
4. Are there any signs of excavations near your distribution system not under the direct control of your maintenance staff?	NO
5. Did you inspect your distribution system to check for mainline leaks? Do you or did you have a mainline leak?	NO LEAKS
6. If there was a mainline leak, when was it repaired?	N/A
7. On what date was the distribution system last flushed?	JULY 19
8. Is there a written flushing procedure you can provide for our review?	NO
9. Do you have an active cross connection control program?	YES
10. What is name and phone number of your Cross-Connection Control Program Coordinator?	SHON SACKETT 661-822-4185
11. Have all backflow prevention devices in the distribution system been tested annually and repaired/replaced if they did not pass and retested afterwards?	YES
12. On what date was the last physical survey of the system done to identify cross-connections?	12/30/13

SAMPLE SITE EVALUATION (Complete for all TC+ or EC+ findings)	Routine Site TC+ or EC+	Upstream Site	Downstream Site	4 th Repeat Sample (specify)
1. What is the height of the sample tap above grade? (inches)	24"			
2. Is the sample tap located in an exterior location or is it protected by an enclosure?	EXTERIOR			
3. Is the sample tap threaded, have a swing arm (kitchen sink) or aerator (sinks)?	NONE THREADED			
4. Is the sample tap in good condition, free of leaks around the stem or packing?	YES			
5. Can the sample tap be adjusted to the point where a good laminar flow can be achieved without excessive splash?	YES			
6. Is the sample tap and area around the sample tap clean and dry (free of animal droppings, other contaminants or spray irrigation systems)	YES			
7. Is the area around the sample tap free of excessive vegetation or other impediments to sample collection?	YES			
8. Describe how the tap was treated in preparation for sample collection (ran water, swabbed with disinfectant, flamed, etc.)	DISINFECTED FLUSHED			
9. Is this sample tap designated on the bacteriological sample siting plan (BSSP) as a routine or repeat site?	YES			
10. Were the samples delivered to the laboratory in a cooler and within the allowable holding time?	YES			
11. What were the weather conditions at the time of the positive sample (rainy,	BREEZY			

REVISED TOTAL COLIFORM RULE (RTCR) – LEVEL 1 ASSESSMENT FORM

Simple Systems with a Well and Pressure Tank and No Treatment

Page 4 of 5

SAMPLE SITE EVALUATION (Complete for all TC+ or EC+ findings)				
windy, sunny?	Routine Site TC+ or EC+	Upstream Site	Downstream Site	4 th Repeat Sample (specify)

GENERAL OPERATIONS:		Response
1. Has the sampler(s) who collected the samples received training on proper sampling techniques? If yes, please indicate date of last training.		YES D-2 T-2
2. Does the water system have a written sampling procedure and was it followed?		YES
3. Where there any power outages that affected water system facilities during the 30 days prior to the TC+ or EC + findings?		NO
4. Were there any main breaks, water outages, or low pressure reported in the service area from which TC+ or EC+ samples were collected?		NO
5. Does the system have backup power or elevated storage?		NO
6. During or soon after bacteriological quality problems, did you receive any complaints of any customers' illness suspected of being waterborne? How many?		NO
7. What were the symptoms of illness if you received complaints about customers being sick?		N/A

SUMMARY: Based on the results of your assessment and any other available information, what deficiencies do you believe to have caused the positive total coliform sample(s) within your distribution system? (DO NOT LEAVE BLANK)

Deficiency #	Deficiency Description
1.	BREEZY, DUSTY DAY
2.	
3.	
4.	
5.	

CORRECTIVE ACTIONS: What actions have you taken to correct the above mentioned deficiencies? If additional time is needed to correct a deficiency, indicate the date that it will be corrected. (DO NOT LEAVE BLANK)

Deficiency #	Corrective Action	Completion/Proposed Date
1.	COLLECT SAMPLE EARLIER IN THE DAY	

REVISED TOTAL COLIFORM RULE (RTCR) – LEVEL 1 ASSESSMENT FORM
Simple Systems with a Well and Pressure Tank and No Treatment

Page 5 of 5

2.	
3.	
4.	
5.	

CERTIFICATION: I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

NAME: [Signature] TITLE: Ops Manager DATE: 9/21/13

- Upon review of the Level 1 Assessment Form, the local regulatory agency may require submittal of the following additional information:
- Sketch of system showing all sources, all treatment and chlorination locations, storage tanks, microbiological sampling sites and general layout of the distribution system including the location of all hazardous connections such as the wastewater treatment facility.
 - A set of photographs of the source, pressure tanks, and storage tanks in the system may be submitted if they would show that the contamination is directly related and changes have been made since the last inspection by the local regulatory agency.
 - Name, certification level and certificate number of the Operator in Responsible Charge.
 - Copy of the last cross connection survey performed that identifies the location of all unprotected cross connections.